

REMARKS*Status of the Claims*

Claims 1-16 were in the application as examined.

Claims 7-16 were deemed by Examiner to be withdrawn as directed to non-elected inventions. Applicants respectfully assert the right to pursue further prosecution of these withdrawn claims in a divisional or continuing application.

Claims 1-3 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5.717854 to Egawaa, *et al.* (hereinafter, “Egawa”).

Claims 4 and 6 were indicated to be allowable if rewritten in independent form including all of the limitations of the rejected base claim and any intervening claims.

By this response, claims 1, 3, 4 and 6 are amended. Claims 1-6 remain in the application.

Claim 1 has been amended to clarify that each “means for storing selected first portions of continuous media objects” provides for storing such portions of continuous media objects “received from at least one source server or others of said helper servers.” [Emphasis added.] Before the current amendment to claim 1 the language “originating” had been used to less clearly introduce the elements(s) from which the “selected first portions of continuous media objects” are received.

Claim 3 has been amended to more clearly provide means for not only receiving, but also storing portions of continuous media objects.

Claim 4 has been amended as required by Examiner to include all of the limitations of claims 1 and 3 (as presently amended) and claim 2. Claim 6 has been amended as required by Examiner to include all of the limitations of claim 1 (as presently amended) and claim 2.

**Arguments in support of patentability of claims remaining in the application***Rejection of Claims 1-3 and 5 Under 35 U.S.C. § 102(b)*

Claims 1-3 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Egawa. For the following reasons, applicant respectfully traverses this rejection.

With regard to claim 1, Examiner states that Egawa teaches the claimed network of helper servers, including Egawa's "control unit 34 receive[s] request and the analyzes the request and determines what instruction should be issued," citing to Egawa col. 4, lines 26-41. The immediate sequel to the quoted portion of Egawa was not quoted by Examiner. This sequel states that (what instruction should be issued) "to each processor unit..." That is, the control unit 34 specifies which processor (31-i, i = 1, 2, ..., n) and related input/output unit (33-i, i = 1, 2, ..., n); the processors do not determine which instructions they should perform with respect to which objects by communicating among themselves, as in the present invention. Among the reasons permitting operation without the express control of a control unit such as Egawa's unit 34 is the ability of each helping server to advertise the availability of objects to other helping servers and to seek help from other helping servers to provide composite objects using objects available at these other helping servers.

While Examiner does not expressly identify what is to be regarded as "helping servers" in Egawa, it is clear that they must include at least Egawa's processors 31-i. But Egawa is at great pains to declare that "the communications line 36 is not a path through which multimedia data is transmitted." [Col. 4, lines 45-48.] Instead, 36 is a control path from control unit 34.

Therefore, Egawa does not provide "means for selectively forwarding stored portions of continuous media objects to others of said helping servers and receivers requesting at least portions of said continuous media objects ..." as in applicants' claim 1. Examiner cites to Egawa's "retrieval request notification and a retrieval result notification are transmitted between processor units" (at Egawa's col 4 , line 66 through col. line 12) as an example of Egawa's teaching of the presently claimed "means for selectively forwarding stored portions of continuous media objects to others of said helping servers ...." However, from the foregoing, it is clear that this cited portion of

Egawa provides no teaching of forwarding portions of multimedia objects to others of said helping servers” as in applicants’ claim 1. Instead, only control instructions are “transmitted between processor units.” The media objects are not moved between processing units.

Accordingly, Egawa also does not teach “means for storing selected first portions of continuous media objects received from at least one source server and others of said helper servers.” [Emphasis added.]

For the foregoing reasons, it is submitted that claim 1 is patentable over Egawa. Claims 2, 3 and 5 depend from, and include all of the limitations of claim 1, and so are patentable over Egawa as well.

Claims 4 and 6 have been amended to include all of the limitations of claim 1 (as amended) and intermediate claims (as amended), and so meet the requirements for allowability set by Examiner.

#### *Conclusion*

For the foregoing reasons, it is respectfully submitted that claims 1-6 remaining in the application, as presently amended, overcome or avoid all bases for rejection and are allowable. It is requested that all remaining claims be further examined, found allowable and passed to issue.

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Respectfully,

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Date: August 14, 2006